



City Council Work Session Agenda Thursday, July 23, 2015, 1 p.m. Committee Room, Second Floor

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[Roll Call]

[Priority Items By The City Manager, City Attorney, And City Clerk]

[Administrative Consent Items]

City Clerk's Office

1. Approval of City Council Minutes

To approve City Council minutes for the following meeting dates: April 20, 2015; April 23, 2015; May 4, 2015; May 7, 2015; May 18, 2015; May 21, 2015; and June 1, 2015.

(Resource Person: D. Ann Gray – 919-560-4166 ext. 12267) ([PR# 10571](#))

2. Human Relations Commission – Appointment

To appoint a citizen to fill one (1) vacancy on the Human Relations Commission representing a Minority Male with the term to expire on June 30, 2018.

(Due to the resignation of Jeffrey Clark)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10562](#))

3. Durham Housing Authority Board of Commissioners – Appointment

To appoint a citizen to fill one (1) vacancy on the Durham Housing Authority Board of Commissioners with the term to expire on September 28, 2016.

(Due to the resignation of Kim A. Cameron)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10563](#))

4. Recreation Advisory Commission – Appointments

To appointment citizens to fill two (2) vacancies on the Recreation Advisory Commission with the terms expiring on August 8, 2018.

(Due to the terms expiring of Cheryl Lloyd and Melonie Susan Taylor)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10564](#))

5. Passenger Vehicle for Hire Commission – Appointment

To appoint a citizen to fill one (1) vacancy on the Passenger Vehicle For Hire Commission representing the Elderly with the term to expire on January 1, 2018.

(Due to the expired term of Danny Blackwell)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10565](#))

6. Durham Planning Commission – Appointment

To appoint a citizen to fill one (1) vacancy on the Durham Planning Commission with the term to expire on June 30, 2016.

(Due to the resignation of Eliee Bielen)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10567](#))

7. Extension of Terms for City Council Appointments to the Durham Workforce Development Board

To extend the terms of the following Durham Workforce Development Board Members in order to coincide with the Durham Workforce Development Board Bylaws and Council's action of August 6, 2012: Paul Grantham, Megan Risley, William Ingram, Wade Smedley and Steven Williams (terms to expire on June 30, 2017); Ernest Mills and Ari Medoff (terms to expire on June 30, 2018).

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10604](#))

8. Mayor's Nominee for Reappointment – Durham Board of Adjustment

To reappoint Randal Moore Rogers to the Durham Board of Adjustment as a Mayor's Appointee – Regular Member with the term to expire on June 30, 2018.

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10606](#))

[Departmental Items]

City-County Planning Department

9. 2014 Durham Board of Adjustment Annual Report

To accept the 2014 Annual Report of the Board of Adjustment, as required by the Interlocal Agreement.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10477](#))

10. 2014 Durham Historic Preservation Commission Annual Report

To accept the 2014 Annual Report of the Historic Preservation Commission, as required by the Interlocal Agreement.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10478](#))

11. 2014 Planning Commission Annual Report

To accept the 2014 Planning Commission Annual Report.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10494](#))

City Manager's Office

12. Raleigh-Durham International Airport – Federal Aviation Administration Grant Offer, FAA AIP Grant Number 3-37-0056-046-2015

To accept the Federal Aviation Administration Grant Offer in an amount of \$3,607,958.00 for the Raleigh-Durham International Airport Master Plan, and Aircraft Rescue and Fire Fighting (ARFF) Vehicle Purchase, FAA AIP Grant Number 3-37-0056-046-2015;

To authorize the City Manager to execute the Grant Agreement; and

To authorize the City Attorney to give assurances with respect thereto.

(Resource Persons: Karmisha R. Wallace – 919-560-4222 and Robert D. Teer, Jr., 919-840-7736) ([PR# 10558](#))

Community Development Department

13. Additional Architectural and Engineering Services for Southside Homeownership Phase 1

To authorize the City Manager to extend the contract date with O'Brien Architecture to include completed and additional Architectural and Engineering Services for the Southside Phase 1 Homeownership effort; and

To increase the contract amount by \$57,660.00 for a total contract amount of \$228,695.00.

(Resource Person: Richard Valzonis – 919-560-4570 ext. 22226) ([PR# 10586](#))

Department of Transportation

14. Grant Agreement for Sidewalk Construction on NC 751 and NC 54 (TIP # U-4726HJ)

To adopt an Ordinance Amending the General Capital Improvement Project Ordinance, Fiscal Year 2015-16, as amended, the same being Ordinance # 14778, for the purpose of receiving the federal funds; and

To adopt a Resolution Authorizing the City Manager to execute a grant agreement with North Carolina Department of Transportation (NCDOT).

(Resource Person: Dale McKeel – 919-560-4197 ext. 36421) ([PR# 10595](#))

Department of Water Management

15. Execution of Addendum No. 1 to Supplemental Article No. 4 for Jordan Lake Partnership Regarding Phase II of the Triangle Regional Water Supply Plan

To authorize the City Manager to execute Addendum No. 1 to Supplemental Article No. 4 – Regional Water Supply Study, Phase II for Jordan Lake Partnership.

(Resource Person: Donald F. Greeley – 919-560-4381 ext. 35266) ([PR# 10570](#))

16. Ordinance to Correct FY 2015-2016 Water and Sewer Fee Schedule

To adopt an Ordinance Correcting the 2015-2016 Water and Sewer Fee Schedule.

(Resource Person: Donald F. Greeley – 919-560-4381 ext. 35258) ([PR# 10602](#))

17. Amendment No. 1 to Contract for Computerized Maintenance Management System Software and Related Services

To authorize the City Manager to execute a contract amendment with NEXGEN Utility Management Inc. for technology services for implementation of the Asset Management Software to the City's backflow preventer management assets in an amount not to exceed \$139,292.00 for

a total revised original contract amount of \$379,692.00. (Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10581](#))

18. Contract SR-61 Sanitary Sewer System Repairs, 2015

To authorize the City Manager to execute a contract with Carolina Civilworks Inc. for construction services for the SR-61 Sanitary Sewer System Repairs, 2015 Project in the amount of \$2,144,452.61;

To establish a contingency fund for the contract in the amount not to exceed \$214,547.39; and

To authorize the City Manager to negotiate change orders for the contract provided that the cost of all change orders does not exceed \$214,547.39 and the total project cost of \$2,359,000.00.

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10591](#))

Finance Department

19. Bid Report May 2015

To receive a report and to record into minutes bids which were acted upon by the City Manager during the month of May 2015.

(Resource Person: Jonathan Hawley – 919-560-4132 ext. 18225) ([PR# 10592](#))

20. Bid Report-June 2015

To receive a report and to record into minutes bids which were acted upon by the City Manager during the month of June 2015.

(Resource Person: Jonathan Hawley – 919-560-4132 ext. 18225) ([PR# 10596](#))

21. Installment Financing Contract, Series 2015 (Fleet)

To adopt a Resolution authorizing the installment financing contract with Bank of America Public Capital Corporation and other related items for a financing not to exceed \$9,500,000.00.

(Resource Person: Chad Cowan – 919-560-4511 ext. 18238) ([PR# 10593](#))

General Services Department

22. Cell Tower Lease and License Agreement with Sprintcom, Inc.

To authorize the City Manager to execute a Cell Tower Lease and License Agreement with SprintCom, Inc. for a ten (10) year term to attach antenna to the City-owned water tank located at 1318 E. Pettigrew Street, Durham, NC, Parcel ID 119085; and

To authorize the City Manager to execute a Memorandum of Lease and License Agreement.

(Resource Person: David Fleischer – 919-560-4197 ext. 21288) ([PR# 10598](#))

**23. Lease to the Museum of Durham History at 521 W. Morgan Street, Durham, NC
(Parcel #103112)**

To authorize the City Manager to execute the Lease with the Museum of Durham History located at 521 W. Morgan Street.

(Resource Person: David Fleischer – 919-560-4197 ext. 21288) ([PR# 10599](#))

Human Resources Department

24. Temporary Staffing Services

To approve the temporary staffing agencies/companies recommended by staff.

Parks and Recreation Department

25. Contract for Athletics Booking Agent

To authorize the City Manager to execute a booking agent contract with Dan Dunbar and Lynn Dunbar dba as Fun2Ref for \$71,119.00 in 2015/16 and \$71,119.00 in 2016/17.

(Resource Person: Annette Smith – 919-560-4355 ext. 27214) ([PR# 10561](#))

Public Works Department

26. Contract for Rental Equipment for Paving Operations

To authorize the City Manager to execute a contract with Gregory Poole Caterpillar for Rental Equipment in the amount of \$157,000.00; and

To authorize the City Manager to negotiate change orders provided that the total project cost does not exceed \$207,000.00.

(Resource Person: Coleman Brown – 919-560-4312 ext. 30223) ([PR# 10518](#))

27. Private Driveway Pipe Ordinance Revisions (Section 62-92)

To adopt an Ordinance Amending the Durham City Code Provision Regulating the Installation of Private Driveway Pipes by City Forces.

(Resource Person: Dana P. Hornkohl – 919-560-4326 ext. 30246) ([PR# 10583](#))

28. Brine Ordinance Revisions (Section 62-16)

To adopt an Ordinance Amending the Durham City Code Provision Regulating the Application of Substances on Streets and Sidewalks within the City.

(Resource Person: Dana P. Hornkohl – 919-560-4326 ext. 30246) ([PR# 10582](#))

Technology Solutions Department

29. Microsoft Enterprise Software Licensing Agreement

To authorize the City Manager to execute an agreement with Dell Marketing L.P. in the amount of \$1,100,599.08 for a three-year period to furnish the City of Durham with a Microsoft Enterprise Licensing Agreement to cover the licensing of desktops, servers, and training software.

(Resource Person: Martha Lester-Harris – 919-560-4122 ext. 33229) ([PR# 10569](#))

30. MUNIS Software Annual Support and License Agreement for 2016

To authorize the City Manager to execute the Annual Support and License Agreement with Tyler Technologies, Inc. in the amount of \$346,107.83 for the use and support of the MUNIS ERP software for a period of one year.

(Resource Person: Martha Lester-Harris – 919-560-4122 ext. 33229) ([PR# 10573](#))

31. Frontier Communications Analog Lines Agreement

To authorize the City Manager to execute a service agreement with Frontier Communications in the amount of \$53,982.00 for the term of three years for providing analog communication lines.

(Resource Person: Martha Lester-Harris – 919-560-4122 ext. 33229) ([PR# 10580](#))

[Presentations]

Department of Transportation

32. GoDurham 2015 On-Board Passenger Survey (20 minutes)

To receive a presentation on the results of the 2015 GoDurham On-Board Passenger Survey.

(Resource Person: Harmon E. Crutchfield – 919-560-4366 ext. 36439) ([PR# 10600](#))

General Services Department

33. Proposed Development at 400 Hunt Street (Parkside at Morris Ridge) (20 minutes)

To receive a presentation introducing the Proposed Development at 400 Hunt Street (Parkside at Morris Ridge and detailing the property interests Lambert requests from the City.

(Resource Person: Elizabeth Hyland – 919-560-4197 ext. 21295) ([PR# 10601](#))

Police Department

34. 2014 Traffic Stop Data Review (20 minutes)

To receive a presentation on the 2014 Traffic Stop Data Review.

(Resource Person: Jose L. Lopez, Sr. – 919-560-4322 ext. 29202) ([PR# 10559](#))

Public Works Department

35. Report on Underground Private Utility Installation Cost Recovery (30 minutes)

To receive a report on Underground Private Utility Installation Cost Recovery; and

To direct staff on the preferred options for cost recovery.

(Resource Person: Marvin Williams – 919-560-4326 ext. 30262) ([PR# 10597](#))

[Public Hearings]

City-County Planning Department

36. Comprehensive Plan Amendment – 2512 Vesson Avenue (A1500005)

To conduct a public hearing and receive comments on the 2512 Vesson Avenue (A1500005) Plan Amendment, and

To adopt a Resolution to change the Future Land Use from Low-Medium Density Residential to Medium Density Residential and change the Development Tier from Suburban to Urban.

Recommendations: The staff recommends approval based on the justification and proposed land use designation meeting the four criteria for plan amendments.

Planning Commission recommended approval, based on information provided in the staff report, the applicant's justification, information heard at the public hearing, and meeting the criteria for plan amendments, 11-0, on May 12, 2015.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10560](#))

37. Zoning Map Change – 2512 Vesson Avenue (Z1500012)

To conduct a public hearing and receive comments on the zoning map change for 2512 Vesson Avenue (Z1500012); and

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1500012 out of Residential Suburban – 10 (RS-10) and placing same in and establishing same as Residential Urban – 5(2) (RU-5(2));

To adopt a consistency statement as required by GS 160A-383.

Staff Determination: Staff determines that, should the plan amendment be approved, this request is consistent with the Comprehensive Plan and other adopted policies and ordinances.

Planning Commission Recommendation and Vote: Approval 11-0 on May 12, 2015. The Planning Commission finds that the ordinance request is not consistent with the adopted Comprehensive Plan. However, should the plan amendment be approved, the request would be consistent with the Comprehensive Plan. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10576](#))

38. Zoning Map Change – Garrett Ridge Multifamily Community (Z1400022)

To conduct a public hearing and receive comments on the zoning map change for Garrett Ridge Multi-family Community (Z1400022); and

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400022 out of Residential Suburban – Multifamily (RS-M(D)) and placing same in and establishing same as Residential Suburban – Multifamily with a development plan (RS-M(D));

To adopt a consistency statement as required by GS 160A-383.

Staff Determination: Staff determines that this request is consistent with the Comprehensive Plan and other adopted policies and ordinances.

Planning Commission Recommendation and Vote: Approval 10-1 on May 12, 2015. The Planning Commission finds that the ordinance request is consistent with the adopted Comprehensive Plan. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10574](#))

39. Zoning Map Change – Belgreen Road (Z1400026)

To conduct a public hearing and receive comments on the zoning map change for Belgreen Road (Z1400026); and

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400026 out of Residential Suburban – 20 (RS-20) and placing same in and establishing same as Planned Development Residential – 4.010 (PDR 4.010);

To adopt a consistency statement as required by GS 160A-383.

Staff Determination: Staff determines that this request is consistent with the Comprehensive Plan and other adopted policies and ordinances.

Planning Commission Recommendation and Vote: Denial 8-3 on June 9, 2015. The Planning Commission finds that the ordinance request is consistent with the adopted Comprehensive Plan. However, the Planning Commission believes the request is not reasonable nor in the public interest and recommends denial based on comments received at the public hearing, information in the staff report, problems with traffic congestion, inadequate transportation infrastructure and opposition from the community.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10575](#))

40. Unified Development Ordinance Text Amendment, Affordable Housing Parking and Density Bonus (TC1500003)

To conduct a public hearing and receive comments on the Unified Development Ordinance Text Amendment, Affordable Housing Parking and Density Bonus (TC1500003); and

To adopt an Ordinance Amending the Unified Development Ordinance, incorporating revisions to Article 6, District Intensity Standards; Article 10, Parking and Loading; and Article 16, Definitions.

To adopt the appropriate consistency statement as required per NCGS § 160A-383.

Recommendations: The staff recommends approval. The Planning Commission recommended approval, 10-1, of the text amendment on June 9, 2015. The Planning Commission determined that the Ordinance request is consistent with the adopted Comprehensive Plan and that the request is reasonable and in the public interest based on comments received at the public hearing and the information in the staff report.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10577](#))

41. Unified Development Ordinance Text Amendment, Riparian Buffer Setback and Lot of Record (TC1500004)

To conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment, Riparian Buffer Setback and Lot of Record (TC1500004); and

To adopt an Ordinance Amending the Unified Development Ordinance, incorporating revisions Article 8, Environmental Protection; and Article 16, Definitions.

To adopt the appropriate consistency statement as required per NCGS § 160A-383.

Recommendations: The staff recommends approval. The Planning Commission recommended approval, 11-1, of the text amendment on June 9, 2015. The Planning Commission determined that the Ordinance request is consistent with the adopted Comprehensive Plan and that the request is reasonable and in the public interest based on comments received at the public hearing and the information in the staff report.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10578](#))

42. 2014 Evaluation Assessment Report (A1500001)

To receive a report on the 2014 Evaluation and Assessment Report of the Durham Comprehensive Plan, amend the Future Land Use Map of the Durham Comprehensive Plan, and approve changes to policies of the Durham Comprehensive Plan.

Recommendations: The staff recommends approval of the Future Land Use Map and policy changes to the Durham Comprehensive Plan. The Planning Commission recommended approval on a 11-0 vote at its May 12, 2015 meeting.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10585](#))

Public Works Department

43. Private Drainage Assistance Cost Share and Interest Rate (Sections 70-687 and 70-688)

To conduct a public hearing and receive comments on the proposed amendments to Durham Code of Ordinances Sections 70-687 and 70-688 for Private Drainage Assistance Cost Share and Interest Rate;

To adopt an Ordinance Amending the Durham City Code Provision Regulating the Funding of Drainage Assistance Projects on Private Property; and

To adopt an Ordinance Amending the Fee Schedule to Allow Annual Changes of the Interest Rate Charged for Making Installment Payments Allowed by City Code Section 70-688 for Stormwater Drainage Work.

(Resource Person: Dana P. Hornkohl – 919-560-4326 ext. 30246) ([PR# 10584](#))

[Citizens' Matters – To Be Heard at 1:00 p.m.]

44. Scott Barndt

To receive comments from Scott Barndt regarding solicitation and sidewalks.

(Resource Person: Scott Barndt) ([PR# 10611](#))

45. John Tarantino

To receive comments from John Tarantino regarding a tribute to Council Member Eugene A. Brown.

(Resource Person: John Tarantino) ([PR# 10612](#))

46. James Chavis

To receive comments from James Chavis regarding a city matter.

(Resource Person: James Chavis) ([PR# 10613](#))

[Adjournment]

Notice Under the Americans with Disabilities Act (ADA).

The City of Durham will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in the City program, service, or activity, should contact the office of Stacey Poston, Acting ADA Coordinator, Voice: (919)560-4197, ext. 21254, TTY:(919) 560-1200; ADA@durhamnc.gov, as soon as possible but no later than 48 hours before the scheduled event.